

By: Representatives Hamilton, Broomfield,
Guice, Maples, Read, Wells-Smith, Zuber

To: Ways and Means

HOUSE BILL NO. 664

1 AN ACT TO AMEND SECTIONS 51-15-129 AND 51-15-137, MISSISSIPPI
2 CODE OF 1972, TO REVISE THE METHOD OF FUNDING FOR THE PAT HARRISON
3 WATERWAY DISTRICT AS IT RELATES TO THE CONTRIBUTIONS FROM CERTAIN
4 MEMBER COUNTIES; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 51-15-129, Mississippi Code of 1972, is
7 amended as follows:

8 51-15-129. From and after October 1, 1996, in each county of
9 the State of Mississippi which is a part of the Pat Harrison
10 Waterway District, so long as funds are found to be necessary for
11 the operation of the district by annual legislative approval of
12 the district budget, the tax collector of such county shall pay
13 into the depository selected by the water district for such
14 purpose an amount to be determined as follows: each county shall
15 pay a pro rata share (not to exceed the avails of one (1) mill
16 through September 30, 1997, and not to exceed three-fourths (3/4)
17 mill thereafter) of the annual district budget (excluding the
18 amount necessary for debt service) based on the proportion that
19 the most recent total assessed valuation of the county bears to
20 the most recent aggregate total assessed valuation of all the
21 counties which comprise the district; provided, however, that any
22 county bordering on the Gulf of Mexico which by action of the
23 board of supervisors has created and authorized a port authority
24 and which has been paying into the port authority the avails of a
25 two-mill levy that was established under Section 27-39-3 shall pay
26 an amount not to exceed one-tenth (1/10) mill through September
27 30, 2003, and not to exceed two-tenths (2/10) mill thereafter, of
28 the total assessed valuation of the county to the Pat Harrison



29 Waterway District pursuant to this section and the assessed
30 valuation of that county shall not be considered when calculating
31 each county's pro rata share of the district's budget. It shall
32 be the duty of the Pat Harrison Waterway District Board of
33 Directors in the month of July annually upon receipt of the total
34 assessed valuation of the member counties, certified by the
35 Mississippi State Tax Commission, to prepare a request to the
36 board of supervisors of member counties to levy a tax using the
37 formula herein established not to exceed one (1) mill through
38 September 30, 1997, and not to exceed three-fourths (3/4) mill
39 thereafter.

40 **SECTION 2.** Section 51-15-137, Mississippi Code of 1972, is
41 amended as follows:

42 51-15-137. From and after October 1, 1996, the board of
43 supervisors of each county that is a member of the Pat Harrison
44 Waterway District on January 1, 1996, shall pay to the district
45 depository a sum not more than is necessary to defray the annual
46 principal and interest due on outstanding indebtedness of the
47 district, not to exceed an amount equal to the avails of
48 one-fourth (1/4) mill of the total assessed valuation of the
49 member county; provided, however, that any county bordering on the
50 Gulf of Mexico which by action of the board of supervisors has
51 created and authorized a port authority and which has been paying
52 into the port authority the avails of a two-mill levy that was
53 established under Section 27-39-3 shall pay to the district
54 depository from and after October 1, 1996, an amount not to exceed
55 two-tenths (2/10) mill through September 30, 2003, and not to
56 exceed one-tenth (1/10) mill thereafter, of the total assessed
57 valuation of the county. The district depository shall place such
58 payments into a special sinking fund out of which monies shall be
59 expended solely to retire bonds and any other indebtedness
60 incurred under this article. Such payments shall be continued as
61 long as there remains unpaid and outstanding any bonded



62 indebtedness created by the district board as hereinafter
63 provided. Any such board of supervisors shall provide the sum
64 herein required either by appropriation from any available funds
65 of the county or by levy.

66 **SECTION 3.** This act shall take effect and be in force from
67 and after July 1, 2003.

